United Nations A/ES-10/PV.8

General Assembly

Tenth Emergency Special Session

Official Records

8th plenary meeting
Tuesday, 17 March 1998, 10.30 a.m.
New York

President: Udovenko . . . . . (Ukraine)

The meeting was called to order at 10.40 a.m.

The President: I welcome all representatives back to this plenary session of the General Assembly after a long interval.

I declare the tenth emergency special session of the General Assembly resumed pursuant to General Assembly resolution ES-10/4 of 13 November 1997, whereby the Assembly decided

> "to adjourn the tenth emergency special session of the General Assembly temporarily and to authorize the President of the most recent General Assembly to resume its meetings upon request from Member States". [resolution ES-10/4, paragraph 9]

In this connection, I should like to draw the attention of delegations to the following: document A/ES-10/21, which contains a letter dated 11 March 1998 from the Permanent Representative of the Syrian Arab Republic to the United Nations in which he requested, on behalf of the States members of the League of Arab States, the resumption of the tenth emergency special session; and document A/ES-10/22, which contains a letter dated 13 March 1998 from the Permanent Representative of Colombia to the United Nations in his capacity as Chairman of the Coordinating Bureau of the Movement of Non-Aligned Countries, and by which he conveys the support of the Movement of Non-Aligned Countries to the request made by the members of the League of Arab States to resume the tenth emergency special session.

I should like also to draw the Assembly's attention to some developments that have taken place since our last meeting at the tenth emergency special session, in particular to the Conference in Support of the Inalienable Rights of the Palestinian People, which I attended in my capacity as President of the General Assembly. The Conference was organized by the Committee on the Exercise of the Inalienable Rights of the Palestinian People in cooperation with the Organization of the Islamic Conference and the League of Arab States on 24 and 25 February last, in Brussels, Belgium.

The Conference emphasized the permanent responsibility of the United Nations with regard to the question of Palestine until it is resolved in all its aspects in conformity with relevant United Nations resolutions. The participation in the Conference of many high-level governmental delegations, eminent personalities and representatives of United Nations bodies, intergovernmental and non-governmental organizations demonstrated the continued support by the international community of the Middle East peace process. It also showed the determination to intensify efforts to set the peace process back on track.

At today's meeting, we have to note that the General Assembly, in the course of 1997, already addressed several times the question of Israeli settlement activities. The tenth emergency special session was first called in April last year and has twice resumed since then. The resumption of its meetings for the fourth time is bringing once again the issues of settlements, the rights of the

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This record contains the original text of speeches delivered in English and interpretations of speeches delivered in the other languages. Corrections should be submitted to original speeches only. They should be incorporated in a copy of the record and be sent under the signature of a member of the delegation concerned, *within one month of the date of the meeting*, to the Chief of the Verbatim Reporting Service, Room C-178. Corrections will be issued after the end of the session in a consolidated corrigendum.

Palestinian people and the observance of international humanitarian law into sharp focus. Today's meeting, as well as the Conference I mentioned earlier, are yet other examples of the level of concern at the present state of affairs in this regard.

Agenda item 120 *(continued)*

Scale of assessments for the apportionment of the expenses of the United Nations (A/ES-10/25)

The President: Before turning to the item on our agenda for this morning, I should like, in keeping with established practice, to invite the attention of the General Assembly to document A/ES-10/25, which contains a letter addressed to me by the Secretary-General informing the Assembly that 34 Member States are in arrears in the payment of their financial contributions to the United Nations within the terms of Article 19 of the Charter.

I should like to remind delegations that, under Article 19 of the Charter,

> "A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years".

I reiterate that the names of the countries in question are contained in document A/ES-10/25.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

Agenda item 5 *(continued)*

Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Draft resolution A/ES-10/L.4/Rev.1

The President: I should like to inform members that, in a letter dated 16 March 1998 addressed to me, the Permanent Representative of the Netherlands to the United Nations, in his capacity as Chairman of the Group of Western European and Other States for the month of March, requests that the General Assembly hear the observer of Switzerland in the debate during the resumed tenth emergency special session.

Taking into account the importance attached to the issue under discussion, it is proposed that the General Assembly should take a decision on that request. May I take it that there is no objection to the proposal to hear the observer of Switzerland in the debate during the tenth emergency special session?

It was so decided.

The President: In accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 43/177 of 15 December 1988, I call now on the observer of Palestine.

Mr. Al-Kidwa (Palestine) (*interpretation from Arabic*): I wish at the outset, Mr. President, to thank you for your participation in the Conference in Support of the Inalienable Rights of the Palestinian People, held at Brussels last month.

Today, States Members of the United Nations are obliged to reaffirm their commitment to "Uniting for Peace" at this third resumption of the tenth emergency special session. The reason for this is clear and simple: Israel has refused to comply with the provisions of the relevant resolutions of the General Assembly adopted during the tenth emergency special session, and has indeed expressed its contempt for those resolutions. Israel continues to violate these and other relevant Security Council and General Assembly resolutions. It persists, indeed, in violating the Charter of the United Nations and international humanitarian law, as well as the agreements signed between the Israeli side and the Palestinian side within the framework of the Middle East peace process.

In addition to that primary reason there is another reason: the failure to implement the mechanism recommended by the General Assembly during this emergency special session for ensuring respect for the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 1949, by convening a conference of the High Contracting Parties on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem, and a meeting of experts of the High Contracting Parties which was to have preceded the conference and was to have been convened by the target date of the end of February 1998. The adoption of a new resolution is therefore required to reaffirm the recommendations contained in resolutions

ES-10/3 and ES-10/4 and to extend the target date for the meeting of experts until, for instance, the end of April 1998. It is essential to follow up seriously and to respect the resolutions of the United Nations, especially those adopted by the General Assembly at its emergency special sessions.

By article 1, common to the four Geneva Conventions, the High Contracting Parties — all the members of the General Assembly without exception — undertake to respect and to ensure respect for the Conventions in all circumstances. Article 148 of the Fourth Geneva Convention indicates that no High Contracting Party shall be allowed to absolve itself or any other High Contracting Party of any liability incurred by itself or by another High Contracting Party in respect of breaches referred to article 147. Article 147 enumerates these grave breaches; they include unlawful deportation or transfer of a protected person and extensive destruction and appropriation of property, not justified by military necessity and carried out unlawfully and wantonly.

To complete the bleak picture of the present situation, let me refer to section III, article 49, of the Fourth Geneva Convention, which clearly states that

> "The Occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies". [United Nations, *Treaty Series*, vol. 75, No. 973]

There is no need to remind the Assembly that Israel, the occupying Power, has committed grave breaches of the Convention and violated many of its provisions daily for more than 30 years. Israel has engaged in all kinds of oppression against protected Palestinian civilians, ranging from killing, detention, and administrative detention to deportation. It has perpetrated extensive destruction of the property of the Palestinian people, destroyed homes and farms, exploited natural resources including water, and confiscated private, communal and public land. Israel has also transferred approximately 350,000 of its civilian population to the occupied territories, settled them there — 25,000 in the last year alone — armed may of them, and established living arrangements for them separate from those of the Palestinian people, the owners of the land. All of this has continued on our land for 30 years, and has been witnessed by the entire world. It is high time to put an end to all of this in a decisive way through the mechanism recommended by the General Assembly at its tenth emergency special session.

Israel protests its innocence and occasionally asks, "Why Israel? Why is a conference not held for other cases?" The answer is simple. The Israeli occupation is a unique case, unparalleled in today's world. Israel is the only State officially considered by the Security Council to be an occupying Power. It has been so for more than 30 years.

Israel is the only party in the world that denies the applicability of the Fourth Geneva Convention to all the territories it has occupied since 1967, including Jerusalem. It rejects this applicability despite the international consensus on the matter and continues to violate the provisions of the Convention, claiming that it abides de facto by the Convention's humanitarian provisions, a claim that is absolutely preposterous. Israel is the only Member State of the United Nations that has publicly and continuously rejected the relevant Security Council resolutions. As members of the General Assembly know, the Council has reaffirmed the applicability of the Fourth Geneva Convention to the occupied territories since 1967, including Jerusalem, in 24 resolutions. Some of these called upon Israel to abide by the provisions of the Convention and one called upon it to accept the *de jure* applicability of the Convention. Israel has rejected all of those resolutions.

Israel is the only country in the world that is engaged in settler colonialism at the end of the twentieth century. Is there any other name for the system through which Israel confiscated the land of our people, pushed the people onto isolated islands, established settlements for Jewish settlers and placed our natural resources at the disposal of these foreign settlers? What else could such a system be called than settler colonialism? It is a system that negates the national existence of the Palestinian people, and even their human existence, and reflects an expansionist ideology that should be condemned, abandoned and reversed.

In the beginning, Israel used to claim before the international community that settlements were being established for security reasons. Do we still remember that claim? Now, Israel does not even bother to make that claim, relying instead on the imbalance of power on the ground and upon the automatic protection made available to it by a super-Power at the international level.

It would have been an act of justice for the international community to take steps to ensure respect for its will throughout these years. It would have been necessary for the Security Council to invoke Chapter VII

of the Charter of the United Nations and to adopt enforcement measures to ensure respect for all its many resolutions. This did not happen in our case, however, despite the fact that it did happen in others, from South Africa to Iraq. It did not happen in our case, not because of the lack of need or of a just cause, but for another single reason. All here know it and we know it, but there is no need to expand on it at this time.

Thus, at this late hour and after such a lengthy passage of time, we are now at the last line of defence. It is the last line of defence for humanity, for the values of right and justice, for the value of human beings, for international humanitarian law and for the Fourth Geneva Convention. Do not let us down.

We continue to seek the implementation of the resolutions of the tenth emergency special session in this regard. We continue to seek the convening of the conference of the High Contracting Parties on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem. We continue to seek the convening of the meeting of experts of the Parties within the time-frame to be determined in today's resolution. We cannot bargain on this and we will not be party to any attempt by others to do so.

Let me also say, however, that we are not against and do not object to any contacts or consultations prior to the meeting of experts which might contribute to its success. We are not even against any consultative meetings among any number of parties, provided that those meetings are held in the framework of the implementation of the recommendations of the General Assembly with regard to the meeting of experts and by the recommended date and do not constitute an alternative to the meeting of experts or a step that would undermine it.

Clearly, no party has the right to ignore the will of the overwhelming majority of the High Contracting Parties, as expressed in the relevant resolutions of the tenth emergency special session and in the inquiries conducted by the Government of Switzerland, in its capacity as the depositary of the Geneva Conventions, on the convening of the conference, following the adoption of resolution ES-10/3.

At this time, I wish to remind everyone that we are not in the first year of the occupation. We are not even in the tenth year. We are in the thirty-first year and we are not about to test the occupying Power in order to understand its intentions. Israel's intentions and practices are very clear. At this stage, either Israel must drastically alter its position, which we would welcome warmly, or the recommended mechanism must be implemented and the necessary enforcement measures considered to ensure respect for the Convention, whether Israel likes it or not.

I would like, at this stage, to express our appreciation for the efforts of the Government of Switzerland. In this regard, I reaffirm our full readiness to cooperate with it, in its capacity as the depositary, towards the implementation of resolutions ES-10/3 and ES-10/4, in addition to the resolution which will, God willing, be adopted today.

Israel also says that the Palestinian-Israeli agreements concluded within the framework of the peace process allow it to pursue its settlement activities. Nothing is more ludicrous. First, the agreements reached cannot and do not negate or supersede international law, and they definitely do not substitute it. The agreements complement it. International law and Security Council resolutions are very clear in this regard.

Secondly, the crux of the agreements reached is the mutual recognition of the legitimate and political rights of the two sides. The Declaration of Principles states that the aim of the process is the implementation of Security Council resolutions 242 (1967) and 338 (1973). How could anybody reconcile the recognition of the legitimate and political rights of the Palestinian people, on the one hand, and the continuation of the settler colonialism campaign, which is based on negating these rights, on the other? How could anyone reconcile compliance with the implementation of resolution 242 (1967) and its crux — the principle of land for peace — on the one hand, and expansionism and land confiscation aimed at preventing the realization of that principle, on the other?

Thirdly, the continuation of settlement activities represents a direct violation of basic components and concepts of the agreements reached, such as extension of the jurisdiction of the Palestinian National Authority and the elected Council through the transitional period to cover all of the West Bank and Gaza Strip, except Jerusalem, the existing settlements and the military locations; or the recognition of the territorial integrity of the West Bank and Gaza Strip as a single unit.

Fourthly, the agreements provide for the postponement of negotiations on the fate of settlements, among other important issues, to the final settlement negotiations. This, of course, prohibits the parties from

creating new facts on the ground aimed at preempting the forthcoming negotiations on the fate of settlements and the other important postponed issues.

In spite of all of the above, the Israeli Government continues with its settlement activities, which, as clearly indicated, violate the agreements between the two sides. Further, the Government continues in its attempts to change the legal status and demographic composition of Jerusalem. We are reminded here, of course, that the Government has almost completed the first stage of the construction of the settlement at Jebel Abu Ghneim, to the south of occupied East Jerusalem, in spite of the resolutions of the tenth emergency special session. It continues deporting Palestinian Jerusalemites from the city of their parents and forefathers, and it continues isolating the whole city from the rest of the West Bank and Gaza Strip.

The Israeli Government also continues to insist on circumventing the implementation of the three agreed-upon Israeli redeployments, which should have resulted in limiting the Israeli presence in the West Bank to only the existing settlements and the agreed military locations. It continues to insist on not implementing the requirements of the transitional agreements through the prevention of the establishment of the safe passage between the West Bank and Gaza Strip, the prevention of the operation of the Gaza airport and the prevention of the start of construction of the Gaza seaport — in addition, of course, to the closure and prohibition of freedom of movement for persons and goods, the continuous undermining of the living conditions of the Palestinian people and the destruction of any possibility for economic development.

The problem here, obviously, is not the existence of limited numbers of Israeli violations of the agreements reached, or even the existence of many Israeli violations, whether for security reasons or on the basis of so-called reciprocity, or for reasons of any other Israeli invention. It is much bigger than that. The problem is the ideological position of the current Israeli Government, which is in direct contradiction to the essence and texts of the agreements reached and which, in turn, has led to the systematic and continuous violation of those agreements by the Government, with the goal of casting them aside and imposing a new framework on the Palestinian people — or what the Israeli Prime Minister called lowering the expectations of the Palestinian side.

I addressed several letters during the past month to the Secretary-General and to the President of the Security Council which were distributed as official documents, including of this tenth emergency special session. The letters included public statements of Israeli officials — not rumours or analysis, but public statements, which at the very least destroy the basis of the peace process.

In spite of all of the above, we have not lost hope yet. But we call upon the international community, particularly upon the co-sponsors of the peace process — the United States and the Russian Federation — and upon all other interested parties, including the European Union, to intensify their efforts to save the peace process, which is on its last breath, and to impose respect for the agreements reached and compliance with their provisions, before it is too late. In the coming few days, our region will receive the Secretary-General of the United Nations. It is our strong hope that his visit will reflect positively on the situation as a whole.

The tenth emergency special session decided in paragraph 8 of its resolution ES-10/4 that

> "in case of the continuous lack of compliance by Israel, the occupying Power, with the provisions of resolutions ES-10/2 and ES-10/3, it shall reconsider the situation with a view to making further appropriate recommendations to the States Members of the United Nations in accordance with its resolution 377 A (V) of 3 November 1950".

The draft resolution before us today reiterates the same decisive position. We hope that this will not be necessary, because we are looking for solutions, not confrontations. But we will definitely not hesitate, if the need arises because Israel continues to maintain its positions and practices, to ask you to put this paragraph into effect, as we will not hesitate to request other organs of the United Nations, including the Security Council, to discharge their responsibilities in accordance with the Charter of the United Nations.

Let us always remember that the League of Nations placed Palestine under the mandate system and that the United Nations partitioned mandated Palestine into a Jewish State and an Arab State, with a special international regime for Jerusalem. Let us always remember that the United Nations has a permanent, legal, moral and political responsibility towards the question of Palestine until the question is effectively solved in all its aspects.

Mr. Gold (Israel): The legal basis for the holding of an emergency special session of the General Assembly owes its origins to the "Uniting for peace" resolution of 3 November 1950. That resolution determined that in the event of a lack of unanimity of the permanent members of the Security Council when a threat to peace, breach of peace or act of aggression occurs, the General Assembly might meet to consider the matter.

This device was designed for very specific circumstances at the time — the North Korean invasion of South Korea. Yet today this emergency special session is not meeting to discuss the myriad of threats to international peace across our globe. This body is not meeting to consider the dangers of further sectarian violence in the former Yugoslavia, the fate of millions of refugees in Africa after bitter tribal wars, the repeated brutal terrorist attacks on innocent civilians in Algeria. Permanent Representatives of 185 Member States have been called to discuss one issue: Israeli condominium construction on a barren hill in Jerusalem.

At the last meeting of the emergency special session on 13 November 1997, the General Assembly adopted resolution ES-10/4 that recommended to the Government of Switzerland, in its capacity as the depositary of the 1949 Fourth Geneva Convention, to convene a meeting of experts in order to follow up on its recommendation to convene a conference of the High Contracting Parties to the Convention. Israel strongly opposed this resolution for good reasons. Were the High Contracting Parties of the Fourth Geneva Convention convened in the case of any other movement of armed forces since 1949? Was such a conference convened when the Soviet Union invaded Czechoslovakia? No. What about the Soviet invasion of Afghanistan? No conference. And one does not need to be an expert in contemporary history to think of the scores of other cases of the movement of armed forces since 1949.

And yet despite the many real cases of aggression and actual occupation since 1949, the one case for which the General Assembly has actually recommended the convening of the High Contracting Parties to the Fourth Geneva Convention is the case of Israel. Ironically, Israel is the one State that has actually implemented, in practice, the provision of the Convention with respect to occupied territory. And in comparison to the many real cases of aggression, Israel's position in the West Bank and the Gaza Strip stemmed out of a defensive war in 1967 during which Israel was encircled by a coalition of armies that had massed their armoured and mechanized formations along three of its borders, requested the withdrawal of United Nations peacekeeping forces and cut off Israel's southern port of Eilat with a military blockade. Moreover, since the 1991 Madrid Peace Conference, Israel has been engaged in negotiations which will ultimately determine the status of these territories. Under the Oslo accords, in the interim period already 97 per cent of the Palestinian population of the West Bank and Gaza Strip is under the jurisdiction of the Palestinian Authority, and hence is no longer under the administration of the Israel Defence Forces.

Thus Israel's opposition to the convening of the High Contracting Parties to the Fourth Geneva Convention is understandable. Nonetheless, with Israel having stated these objections when asked by the Swiss depositary if it would be willing to attend a closed meeting — which could be repeated if necessary — of representatives of Israel and the Palestine Liberation Organization (PLO), Israel gave an affirmative answer to this pragmatic Swiss suggestion. But what has now happened? Rather than allow the previous decision of the General Assembly to run its course, the emergency special session has been resumed even before the previous decision could be implemented. Rather than allow the Swiss Government to exercise the authority it has as depositary and was granted in the previous emergency special session, the session has been resumed to adopt a resolution that seeks to supersede what was previously decided. There is no basic sense of fair play in this procedure — only the tyranny of automatic majorities against a single Member State in the United Nations system.

Member States have been concerned about the status of the Israeli-Palestinian peace process, and we understand that concern. It is important to reiterate here that Israel has implemented, and will continue to implement, its obligations under the Oslo agreements. The commitment of the Government of Israel to this process has been repeatedly proved by tangible concessions made over the last 18 months — not just by words, or reference to words or atmospherics.

The world must look at what Israel has in fact done, and not accept baseless assertions about Israeli ideology. And, by the way, if we are discussing the issue of ideology, looking at the cover page of the speech of the Permanent Observer of the PLO, I see a map of all of British Mandatory Palestine as being the area which, clearly, the PLO wishes to assert it is controlling. So if we are speaking about ideology, I look at the map that everyone has on their desk and wonder, what is the

ideological orientation of those who assert that we are trying to stop the peace process?

Look at tangible actions: Israel redeployed from Hebron. It has freed prisoners, prisoners with blood on their hands who have killed Israelis, because we were obligated to do so. Israel has transferred large funds to the Palestinian Authority. It has lifted closure, more than doubling the number of Palestinian workers benefiting from the Israeli economy. Last March, Israel offered the first phase of further redeployment, in accordance with its treaty commitments. The Palestinian Authority refused to accept the land that Israel offered to put under Palestinian jurisdiction.

Clearly, there are issues that Israel cannot implement by itself. It needs to reach an agreed protocol with the Palestinian Authority to open the Gaza Airport and the Karni Industrial Park. The latter could supply employment to 20,000 Palestinian workers. It is our firm belief that negotiations on these two matters could be completed in a matter of days. These interim measures, along with the resumption of permanent-status negotiations, would restore needed hope and momentum to the Middle East peace process. Realistically, more time and work are needed for the Gaza port and the safe passage between the West Bank and Gaza Strip. However, these are doable as well.

But right now the Palestinian Authority under Chairman Yasser Arafat has no interest in completing these interim protocols and bringing benefits to the Palestinian people. Instead, the Palestinian Authority has chosen a deliberate strategy of constant crisis. The underlying assumption of this strategy is that under conditions of diplomatic impasse, international political pressures will automatically build on the State of Israel, and not on the Palestinian Authority. These pressures are intended to force Israel to make concessions that go beyond the Oslo agreements, such as a unilateral Israeli settlement freeze — while Palestinian villages expand — and sizable further redeployments, without the need for Palestinian compliance with the Palestinian Authority's commitments within the Oslo agreements, particularly in the area of security. What, in short, is being sought through the mechanism of international pressure is not land for peace, but land for nothing.

For while Israel is fulfilling its part of the Oslo agreements, and in particular the post-Hebron Note for the Record, the Palestinian Authority is doing nothing on its side. Hamas continues in an unimpeded way to expand its organizational network for military operations against Israel. New bomb factories are being created under the area of jurisdiction of the Palestinian Authority and are dismantled only in exceptional circumstances after strong Israeli protests. Palestinian security actions against these threats have not been constant, but rather have been held back as a negotiating card to be offered only if Israel makes further concessions.

Meanwhile, the murderers of many Israelis, such as those of Ohad Bachrah and Uri Shahor, are, in the best of cases, under dubious detention in Jericho and in other Palestinian cities. In the worst cases, they have actually been drafted into the Palestinian security services and continue to engage in terrorist operations. This is not a 100 per cent or an 80 per cent effort to fight terrorism. It is nothing short of total non-compliance with the Oslo agreements. But under the strategy of constant crisis, the Palestinian Authority is never held accountable for its non-compliance, since only Israel will be blamed for every impasse anyway.

Israel is willing to take risks for peace, but it is seeking only to receive something in return. Israel is willing to freely arrive at understandings with its Palestinian partners, but it will reject attempts to use the state of constant crisis to force it to make baseless concessions. The United Nations can give a powerful push for peace if it insists that the parties resolve their differences among themselves. But if it gives a hand to singling out Israel alone in the entire international community with this proposed draft resolution, it is damaging not only the peace process but the entire United Nations system itself.

Mr. Rodríguez Parrilla (Cuba), Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (*interpretation from Spanish*): I am speaking today in my capacity as Acting Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People.

It was not long ago that this Assembly, both at its fifty-second session and at its tenth emergency special session, considered at some length the deplorable situation in the occupied Palestinian territory, including Jerusalem, brought about by the actions of the Israeli Government. Today we are back in this Hall discussing an item that, in essence, has been before us and our predecessors in the General Assembly for decades: illegal Israeli actions in the occupied Palestinian territory.

Moreover, some three months have passed since the General Assembly overwhelmingly concluded that the lack of progress in the Israeli-Palestinian negotiations would lead to serious consequences.

So where do we stand now? The situation remains extremely fragile and volatile. It is common knowledge that, in terms of the peace negotiations, 1997 was largely wasted, owing to the measures taken by the Israeli authorities. The promising start of the year was quickly followed by Israeli actions that eliminated any possibility of continuing the process. A year later, we see no sign of tangible progress in the Israel-Palestinian negotiations. Although attempts at restarting the negotiations on certain issues have been made in Washington, D.C., the overall frustration has taken its toll and has allowed the level of mistrust and suspicion between the two sides to grow over the months.

As regards the occupied Palestinian territory, including Jerusalem, the picture continues to be bleak and disturbing. The Committee on the Exercise of the Inalienable Rights of the Palestinian People has on a number of occasions drawn the attention of the international community to the alarming deterioration of the situation on the ground, particularly as regards Israeli settlements, notably those in Jebel Abu Ghneim, the prolonged blockades with their damaging economic effects upon the Palestinians, and the great exacerbation of violence and tension. As members know, settlement activities continue until this day with reports coming in on the expansion of and additions to existing settlements, the construction of bypass roads linking the settlements, the setting up by settlers of mobile homes on Palestinian land and the denial of residency rights to Palestinian Jerusalemites. Perhaps the most worrying were statements by Israeli Government officials regarding plans for the construction of new settlements.

Over the past year, the General Assembly at its fifty-second session and its tenth emergency special session has discussed the issue of settlements and the rights of the Palestinian people in that regard. The Assembly has indicated yet again the level of international concern at the current state of affairs in the occupied Palestinian territory in general, and in Jerusalem in particular, resulting from the Israeli Government's settlement policies. The Assembly has also stressed that such Israeli actions are in clear violation of the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. Last July and November respectively, in its resolutions ES-10/3 and ES-10/4, the General Assembly recommended that the High Contracting Parties to the Fourth Geneva Convention should convene a conference on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem. The Assembly also recommended that the Government of Switzerland, as the depositary of the Convention, should take the steps necessary to convene a meeting of experts to follow up on that recommendation, with a target date of not later than the end of February 1998.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People regrets that the steps necessary to hold a meeting of experts have yet to be taken. In that regard, the Committee believes that Israel's continued lack of compliance with the provisions of the Convention and with those of resolutions ES-10/2, ES-10/3 and ES-10/4, necessitates the convening of both the meeting of experts and the conference, in close cooperation among all concerned.

Last week, we all learned with great concern and dismay of the most recent increase in tension in the West Bank, this time in the vicinity of Hebron. Early last week, Israeli border troops killed three Palestinian workers, which exacerbated the situation and provoked several days of violent confrontations in the city and in other parts of the West Bank. To date, dozens of Palestinians have been injured, including children. And, as has happened many times before, armed settlers were again involved in the shootings.

The Committee on the Exercise of the Inalienable Rights of the Palestinian People has in the past reminded the international community that the continuing difficulties facing the Israeli-Palestinian peace negotiations and the lack of implementation of the agreements reached to date were fraught with considerable danger and could negatively affect the sustainability of the peace process. The Committee also noted in its report to the General Assembly at its fifty-second session that the setbacks experienced by the peace process were a direct result of the policies and practices of the Israeli Government and of its position on the various elements of the peace process. About a month ago, the Committee, the Organization of the Islamic Conference and the League of Arab States — the organizers of the Conference in Support of the Inalienable Rights of the Palestinian People, held at Brussels on 24 and 25 February — noted with concern in their concluding remarks at that conference, among other things, non-compliance by the Israeli Government with international law, with United Nations resolutions, with

agreements signed with the Palestine Liberation Organization, and with the provisions of the Fourth Geneva Convention.

This latest flare-up of violence in the West Bank is another signal of the illegal nature of Israeli actions in the occupied Palestinian territory and of the pressing need to ensure Israel's acceptance of the *de jure* applicability of the Fourth Geneva Convention to all the territories occupied since 1967.

As the situation in the occupied Palestinian territory, including Jerusalem, remains tense and bears the potential for renewed violence, the Committee on the Exercise of the Inalienable Rights of the Palestinian People reaffirms how urgent it is to impress upon the Government of Israel the need to abide by the provisions of the Fourth Geneva Convention and the principles of international humanitarian law. As a Member of this Organization, Israel must also respect and uphold the principles enshrined in the Charter of the United Nations, as well as those contained in the relevant General Assembly and Security Council resolutions.

I wish to conclude by saying that the Committee calls upon the Government of Israel to comply with the provisions of the Fourth Geneva Convention and the recommendations of the General Assembly, and to cooperate fully in the preparatory work for the meeting of experts and the conference proposed by the General Assembly.

Mr. Samhan (United Arab Emirates) (*interpretation from Arabic*): I am honoured, on behalf of the United Arab Emirates, to extend to you, Sir, our thanks and appreciation for your resumption of this emergency special session — in accordance with paragraph 9 of resolution ES-10/4 and with the provisions of the "Uniting for peace" resolution, resolution 377 (V) — in order to reconsider the measures to be taken vis-à-vis Israel's failure to comply with the international community's demands that it cease fully and immediately all its illegal activities, particularly the building of illegal settlements in Jebel Abu Ghneim, Al-Quds and the occupied Arab and Palestinian territories.

The General Assembly, at its resumed session last June, considered the Secretary-General's report, which provided clear documentation of Israel's intransigent refusal to implement its legal obligations, as stipulated in the Fourth Geneva Convention of 1949, in all the occupied Palestinian territories, including Al-Quds, and in accordance with relevant international law. The General Assembly, in view of the unanimity of Member States vis-à-vis this report, later adopted resolutions ES-10/3 and ES-10/4, both of which reaffirmed its earlier resolutions and recommended that the High Contracting Parties to the Fourth Geneva Convention convene a conference on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem, and to ensure Israel's respect in accordance with the provisions of the Convention, in particular common article 1. It reiterated its recommendation to the Government of Switzerland, in its capacity as the depositary of the Geneva Convention, to undertake the necessary preparatory steps, including the convening of a meeting of experts in order to follow up on these recommendations. Such a meeting was to take place as soon as possible, and by last February at the latest. Unfortunately, this deadline expired and the State parties have yet to be invited to convene that important meeting.

The United Arab Emirates expresses its concern about the delay in the implementation of the General Assembly's resolutions, which it considers to be a sufficient excuse for and even an incentive to the Government of Israel to continue pursuing its policy of arbitrary collective punishment, in all its forms and manifestations, against the Palestinian people. This is particularly likely, given that we continue to witness Israel's daily commission of serious violations, including the construction of further illegal settlements throughout the occupied Arab and Palestinian territories, including Al-Quds; the confiscation of lands; the demolition of homes; and the denial of the rights of residency to the inhabitants of Al-Quds. All of this is aimed at altering the demographic, legal, historical and cultural composition of that holy Arab city; carrying out organized terrorism; escalating acts of killing, violence and haphazard detention; torturing detainees; and imposing conditions of siege on the movements of citizens and goods to and from the region under the Palestinian Authority. Such acts constitute the most heinous violations of the human rights of the Palestinians and of the rules of international law.

All of these grave practices, measures and actions clearly embody the Israeli Government's declared rejection of and back-tracking from its legal and ethical obligations and commitments in the framework of the peace process and its accords, as well as its imposition of impossible conditions for the completion of the settlement. They also reflect Israel's blatant material breach of its obligations under the Fourth Geneva Convention of 1949, which the international community,

represented by the Security Council and the General Assembly, has asserted to be applicable to all the Arab and Palestinian territories occupied since 1967, including Al-Quds.

The issue of security, raised by the Government of Israel to justify its further pursuit of suppressive settlement practices and its acquisition of weapons of mass destruction outside the safeguards of international control, is an essentially illegal pretext aimed at concealing the truth of its deliberate expansionist objectives and the entrenchment of its occupation of the Arab and Palestinian territories.

The United Arab Emirates reiterates once again its condemnation of all these grave Israeli practices and unwarranted violations of the most fundamental rules of human rights, the Hague Convention of 1907 and international law. We ask the United Nations, which remains the most appropriate forum, to address the question of Palestine by discharging its legal and political responsibilities, as stipulated in its own resolutions and Charter as well as in all subsequent international conventions. We call on the actors, particularly the sponsors of the peace process and the members of the European Union, to make further diplomatic efforts to bring pressure to bear on the Government of Israel in order to oblige it to meet its obligations unconditionally.

On this basis, we call for the full implementation of all the resolutions adopted at the tenth emergency special session, including the recommendation to the Government of Switzerland to undertake the necessary preparatory steps for the early convening of a meeting of experts of the High Contracting Parties of the Fourth Geneva Convention in order to discuss the enforcement of the Convention in the occupied Palestinian territories, including Al-Quds, and to address the unabated violations of the fundamental human rights of the Palestinian people under the yoke of the Israeli occupation.

The achievement of a lasting, comprehensive and just peace in the Middle East is a very urgent and essential question in order to ensure the security, stability and prosperity of all the region's peoples. This cannot be realized under the continued fierce Israeli campaign to build illegal settlements, as well as its unabated and blatant breaches of its binding legal commitments and its constant violations of the basis of the Madrid Peace Conference, as well as of the subsequent other agreements of international legitimacy, in particular Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), as well as the principle of land for peace.

Moreover, the fact that the Government of Israel still pursues such hostile policies, riding roughshod over the rules of international law and world public opinion, as well as of other national interests of the States of the region, represents a very serious phenomenon in international relations. The international community must take the necessary actions to deter it, in accordance with the Charter.

In conclusion, the United Arab Emirates reiterates its support for the Palestinian National Authority in its quest to realize the aspirations of its people for the exercise of their inalienable, legitimate national rights, including the right to return to their homeland, the right to self-determination and the right to the establishment of an independent State on the entirety of its homeland, with its capital at Al-Quds.

On this occasion I would like to appeal to all the members of the international community, particularly donor countries, to extend technical and economic support and humanitarian assistance to the Palestinian people, in order to improve their living conditions and develop a comprehensive infrastructure so that they can realize their aspirations for a decent life on an equal basis with all countries of the world.

Mr. Baali (Algeria) (*interpretation from Arabic*): The General Assembly again, and for the third time, is resuming its tenth emergency special session because the international community has once again failed to impose the implementation of the resolutions adopted by this international body at its previous meetings. In fact, on the one hand, the resolutions calling for an end to all illegal actions in the occupied city of Jerusalem, including settlement activities and the building of new settlements, have gone unheeded by the occupying Power, the Israeli Administration. On the other hand, the General Assembly's call to the High Contracting Parties to the Fourth Geneva Convention of 1949 also remains unimplemented, even though the call was clearly made in the two resolutions, ES-10/3 and ES-10/4, adopted by the General Assembly in its meetings of 15 July and 13 November of last year.

The Fourth Geneva Convention of 1949 states very clearly in its very first article that the High Contracting Parties undertake to respect both the text and the spirit of the Convention and to impose respect for the Convention on others when it is violated. The Convention in question, as we all know, aims at protecting civilian persons in time of war and prevents the occupying Power

from settling its own citizens in the occupied territories under its authority.

This Convention obviously applies fully and clearly to the occupied Palestinian territories, and particularly to the eastern part of the city of Jerusalem. Israel has also undoubtedly been violating the text and spirit of that international Convention ever since it began to implement its illegal settlement programmes in the occupied Palestinian territories — the most recent of these programmes being the project of establishing a new settlement in the Jebel Abu Ghneim area in the eastern part of the occupied city of Jerusalem. Consequently, and as an occupying Power, Israel is called upon to fully respect the Convention and to comply with the resolutions of international legitimacy and the principles of international law.

Any prevarication or laxity on the part of the international community in dealing with this shameful situation cannot but convey a wrong message to the aggressor, which may interpret it as encouragement, support and approval for its illegal acts. The time has come for the international stand to change from mere verbal condemnation of unacceptable Israeli practices to some serious action and real pressure that would guarantee respect for the principles of international law and the resolutions of international legitimacy.

The political, economic and security situation in the occupied Palestinian territories is going through one of its more critical phases, threatening the entire area with an explosive situation that will leave no one unscathed and which can only bring more destruction, claim more victims and cause the confrontations to spread. Every day we read news of increasing tension, unrest and violence in the occupied Arab territories, which threaten to explode at any moment because of the Israeli actions against the innocent citizens in the occupied territories of Palestine.

The peace process in the region has reached an impasse reached because of the obduracy of the Israeli authorities and their lack of respect for their commitments. We believe that peace process is the only way to accomplish a just, lasting and comprehensive peace in the Middle East on the basis of the principle of land for peace. Yet we are today aware that the Israeli occupying Power continues increasing its aggression, provocation and extortion against the Palestinian people. The killing of several Palestinian workers just a few days ago is indeed but an example of what the steadfast Palestinian people are subjected to in terms of tyranny and injustice. And this makes it incumbent upon the international community to adopt a firm and strong position that would guarantee the recovery of the violated national rights of the Palestinian people and the establishment of their independent State with the holy city of Jerusalem as its capital, guaranteeing a life of peace and security with all their neighbours.

Taking all this into account, Algeria, like the other Member States, once again reiterates its call on the Swiss Confederation, as the depositary of the Fourth Geneva Convention of 1949, to act rapidly in calling for a meeting of all the High Contracting Parties in order to guarantee peace for the Palestinian people whose land has been violated.

Mr. Forero (Colombia) (*interpretation from Spanish*): It is undeniable that today, the climate of harmony that was briefly observed during a stellar moment of the process of reconciliation between Palestinians and Israelis has deteriorated to such an extent that the potential for an early peace in the Middle East has dissipated.

It is incumbent upon the international community to see that no effort is spared so that the region will again find the path to peace. The international community cannot comply with that obligation if there is not an insistence on respect for international law, for the resolutions of the General Assembly and the Security Council, and for international humanitarian law in the occupied Palestinian territories.

As we have heard repeatedly in this Hall during the four occasions upon which this tenth emergency special session was resumed, the decision of the Israeli Government to continue its settlement policy in the occupied Arab territories is a grave perversion of the spirit of the Oslo agreements. It erodes the fragile climate of confidence that had been reached between the parties, it attempts to prejudge the outcome of the negotiations on permanent status, and it constitutes a violation of international law.

It is incomprehensible that at this juncture, when a process so vital to international security is being placed in jeopardy, the Security Council should distance itself and should disregard a call to action from the entire international community and from its own members.

At a time when we are trying to emphasize preventive approaches to international peacekeeping, it is

incongruous to sit idly by watching the deterioration of security conditions in a region that was beginning, for the first time in many years, to overcome its violent past.

Out of this situation and none other arose the need for the General Assembly to find a way to safeguard the invaluable gains that had been achieved by the parties to the Middle East peace process. To attain this goal, no aspect is more urgent than the protection of international humanitarian law in the occupied Palestinian territories. That is why our Assembly took the decision to recommend that the High Contracting Parties to the Geneva Convention convene a conference on measures to secure compliance with the provisions of the Convention in the occupied Palestinian territories. The Movement of Non-Aligned Countries addressed a note last year to the Swiss Government expressing the Movement's support for such a request.

A preliminary meeting of experts, to determine specific parameters and goals, could make a positive contribution to ensuring that the outcome of the conference is truly a constructive contribution to the search for peace in that region.

We believe that recourse to the machinery provided by international legal instruments would guarantee an impartial and constructive contribution on the part of the international community to the search for solutions, at a time when there is a clear need for innovative initiatives that can contribute to reactivating a process that is dangerously blocked.

It is with this understanding that we support the draft resolution before us. It is important to restate the United Nations potential for contributing to peace and security through transparent activities within the framework of international law. This is a matter of making use of available tools to safeguard humanitarian law in a balanced fashion.

We are therefore well aware of the lasting consequences for international peace of the outcome of the activities of the next few months relating to the peace process, and for this reason we will continue to focus on lending our support, in compliance with our responsibility for the peace and future of the Middle East.

Mr. Chowdhury (Bangladesh): Bangladesh welcomes the timely convening of this resumed tenth emergency special session of the General Assembly to consider the "Illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory". The continuation of Israeli policies and practices, in violation of the human rights of the Palestinian people, United Nations resolutions and the agreements reached between the two sides within the context of the Middle East peace process, serves as a further reason for the resumption of the tenth emergency special session.

I should also like to join others in expressing our profound thanks to the High Contracting Parties, which have requested, in follow-up to resolutions ES-10/3 and ES-10/4, the Government of Switzerland to convene a conference of the High Contracting Parties to the Fourth Geneva Convention to examine measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem, and to ensure its respect. Bangladesh, which has consistently supported all relevant resolutions, including resolution ES-10/3, has, as a State party to the Convention, conveyed its strong support for an early convening of the conference. Despite these resolutions, United Nations special sessions and international conferences, not much progress has been made to bring about a just solution to the Palestinian question and thus achieve a lasting and comprehensive peace in the Middle East.

My delegation would like to underline that the situation in the occupied Palestinian territories is a matter of grave concern to the people and Government of Bangladesh. The year 1997 marked three decades of illegal occupation by Israel of the Palestinian territory, including Jerusalem and the Arab territories. Unfortunately, the Israeli authorities have, in defiance of United Nations resolutions — including resolutions ES-10/2, ES-10/3 and ES-10/4 — continued to pursue repressive policies in the occupied Palestinian territories, including Jerusalem. The resolutions, as recalled by other delegations, demanded the immediate and full cessation of the construction in Jebel Abu Ghneim and of all other Israeli settlement activities, as well as of all illegal measures and actions in Jerusalem. They stress the need to preserve the territorial integrity of all the occupied Palestinian territory and to guarantee the freedom of movement, persons and goods in the territory, including the removal of restrictions into and from East Jerusalem, and freedom of movement to and from the outside world. The resolutions also underline the obligation of the High Contracting Parties to the Geneva Convention to ensure respect of the Convention by Israel.

In the occupied Palestinian and Arab territories, Israel has encouraged and promoted a policy of

suppressing resistance against an occupation that has generated various forms of human rights violations, such as arrest, detention, torture, the refusal of access to legal recourse, expulsion, and so on. Violations at the individual level have been accompanied by collective punishments such as blockades, the demolition of houses, the confiscation of property, deportation and the conduct of collective searches. Economic blockade and collective punishment are the most favoured instruments applied by Israel to terrorize the Palestinian people.

Israeli settlements in the occupied territories have always been a source of tension, as these settlements violate the land rights of the people under occupation. The expansion of settlements in the occupied territories constitutes yet another attempt at deliberate encroachment and a provocation of the feelings of the Palestinian people. This has led to a volatile situation which has undermined the peace process. In a similar fashion, the confiscation of land and water resources and the storming of houses by the Israeli authorities have continued unabated in the occupied territories, including the Golan area. Indiscriminate destruction of life and property in southern Lebanon has become a routine affair.

It is totally unacceptable that a single State should continue to defy the international community and to violate international law and treaty obligations. The international community cannot stand idly by in the face of Israel's disregard and blatant violation of decisions taken by the General Assembly. That concern was voiced also at ministerial-level meetings of the Arab Group, the Organization of the Islamic Conference, the Non-Aligned Movement and the Group of 77 held during the fifty-second session of the General Assembly.

Bangladesh, which is committed by its Constitution to support oppressed peoples throughout the world, has consistently expressed, both in the United Nations and in all other international forums, solidarity with its Palestinian brethren. My delegation reiterates Bangladesh's condemnation of the Israeli policy of systematic violation of international humanitarian law and of fundamental freedoms and basic human rights in the occupied territories. The international community has the responsibility to recall that, under the Fourth Geneva Convention and relevant United Nations resolutions, Israel is obligated to guarantee the basic human rights of the people under its occupation, and also to ensure that those rights are respected.

For the people under Israeli occupation, the crucial issues are those related to maintaining personal dignity, to the restoration of rights and property, and to earning autonomy in decision-making. We call upon Israel to comply fully with the Fourth Geneva Convention and to terminate completely its occupation of Palestinian and other Arab lands, without any further delay.

In 25 resolutions adopted over the years, the Security Council has reaffirmed its recognition of the applicability of the Fourth Geneva Convention to the territories occupied since 1967 including Jerusalem. There is no controversy over the question of the applicability of the Fourth Geneva Convention to the territories, including Jerusalem. There is hence no scope for a unilateral refusal to recognize the applicability of the Convention in this case. We would similarly regard any attempt at deviation from or circumscription of this recognized position as an encroachment on and a violation of relevant Security Council resolutions.

My delegation would like to register its disagreement with the arguments for dissociating the Security Council and the General Assembly from the peace process. The peace process, we would like to underline, rests basically on Security Council resolutions 242 (1967), 252 (1968) and 338 (1973) and on numerous resolutions of the General Assembly. There is no need to reiterate that the United Nations has an abiding responsibility with regard to resolving the problems in the Middle East. The question of the establishment of a sovereign, independent State of Palestine, with Jerusalem as its capital, remains at the core of the problems in the area.

We would like to underline here that the principles and provisions of international law should not be undermined by political arrangements; the people of Palestine are seeking protection under international law, and this should not be denied them.

I conclude by reaffirming Bangladesh's sponsorship of draft resolution A/ES-10/L.4/Rev.1, entitled "Illegal Israeli actions in occupied East Jerusalem and the rest of the Occupied Palestinian Territory".

The President: Before calling on the next speaker, I should like to propose that the list of speakers in the

debate on this item be closed at 12.30 p.m. today. May I take it that the General Assembly agrees to that proposal?

It was so decided.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): This latest General Assembly debate on serious problems in Israeli-Palestinian relations is the unfortunate, direct result of the impasse in the Middle East peace process. I cannot fail to note that the decisions adopted during the first three segments of the tenth emergency special session, relating to putting an end to settlement activities in East Jerusalem and other Palestinian territories, have yet to be implemented.

The lack of a solution to many problems in Israeli-Palestinian relations is a constant source of instability in the Palestinian territories, and of clashes such as those between Palestinian civilians and Israeli soldiers that followed the 10 March incident at the checkpoint near Hebron. We call again upon the parties to refrain from any action that could lead to further bloodshed.

We are deeply convinced that strict compliance with all prior agreements and obligations, especially those relating to the redeployment of Israeli forces on the western bank of the Jordan river, would guarantee that Israeli-Palestinian disagreements could be overcome. Unilateral action, especially the construction of settlements, is inadmissible. There must be effective Palestinian-Israeli interaction in agreed areas, including the important sphere of security.

We take note of the efforts of the Government of Switzerland to find a formula acceptable to all parties for the convening of a meeting of experts of High Contracting Parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, as provided for in resolution ES-10/4. That the arrangements proposed by Switzerland did not suit a number of delegations does not mean that we cannot achieve a compromise. We welcome the recommendation set out in draft resolution A/ES-10/L.4/Rev.1 that the search for such a formula be continued, and we hope that this search will soon meet with success. The convening of a meeting of experts must, of course, be preceded by careful, comprehensive preparatory work. We are prepared to play an active part in that work.

In spite of all the difficulties, Russia, as a co-sponsor of the Middle East peace process, will continue actively to encourage negotiations in conformity with the Madrid principles and in the interests of the Palestinian and the Israeli peoples, with a view to ensuring stability and good-neighbourliness in the region.

Mr. Kwok (Singapore): In 1997, the General Assembly held four meetings of the tenth emergency special session to consider illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territories. It is regrettable that, four months after the last resumed session, little progress has been made on this issue.

As we have stated on previous occasions, Singapore is firmly of the view that the peace process is the only path to lasting peace and security for the Palestinians, as well as for Israel and its neighbours. We reaffirm our commitment to a comprehensive, just and lasting peace based on Security Council resolutions 242 (1967), 338 (1973) and 425 (1978), and within the framework of international law. Singapore will continue to support efforts to bring about the peaceful settlement of the question of Palestine.

For this reason, Singapore reiterates the importance of the full and immediate implementation of all General Assembly resolutions. It is unfortunate that the provisions of resolutions ES-10/2, ES-10/3 and ES-10/4 have not yet been complied with. We support the extension of the target date for the convening of the meeting of experts of the High Contracting Parties until the end of April 1998. We urge the Government of Switzerland, in its capacity as the depositary of the Fourth Geneva Convention, to convene the meeting of experts of the High Contracting Parties in accordance with resolution ES-10/4. Singapore also urges the High Contracting Parties, in compliance with the aforementioned resolutions, to convene a conference on measures to enforce the Convention in the occupied Palestinian territories, including Jerusalem.

Mr. Kamal (Pakistan): The General Assembly is meeting again today to review the situation in the Middle East against the backdrop of the continued illegal actions in occupied East Jerusalem and in the rest of the occupied Palestinian territory.

It is a matter of concern for all of us that Israel continues to refuse compliance with any of the demands made in the Assembly's resolutions adopted at meetings of the tenth emergency special session held on 25 April 1997, 15 July 1997 and 13 November 1987, including the immediate halt and reversal of all its illegal actions in the occupied territories.

The General Assembly resolutions recommended that the High Contracting Parties to the Geneva Convention convene a conference on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem, and to ensure its respect in accordance with the provisions of the Convention. The Government of Switzerland, as the depositary of the Convention, was requested to undertake the necessary measures, including the convening of a meeting of experts not later than February 1998, in order to prepare the grounds for the eventual convening of the conference of the High Contracting Parties.

The meeting of experts could not be convened by the Government of Switzerland for unspecified reasons. The Government of Pakistan, as a signatory to the Geneva Convention, supports the convening of the conference of the High Contracting Parties as soon as possible. We therefore endorse the recommendation, made in the draft resolution under consideration of the Assembly today, to extend the target date for convening the meeting of experts until the end of April 1998, with a view to paving the way for convening the conference of the High Contracting Parties.

Meanwhile, in flagrant violation of the provisions of the Fourth Geneva Convention of 1949, Israel has pursued its reprehensible policy of building new settlements in Jebel Abu Ghneim in the south of occupied East Jerusalem. These measures, aimed at changing the physical character, demographic composition, institutional structure or status of the Palestinian and other Arab territories occupied since 1967, including Jerusalem, have no legal validity and must be rescinded. We deplore all such acts.

Pakistan has steadfastly supported the just struggle for the inalienable rights of the Palestinian people. We have consistently stated that Security Council resolutions 242 (1967), 338 (1973) and 425 (1978) continue to provide a viable and just framework for a durable and comprehensive peace in the Middle East. The Government and people of Pakistan believe that Al-Quds Al-Sharif, occupied by Israel since 1967, is the core issue of the Arab-Israeli conflict. It remains central to any comprehensive settlement. No lasting peace in the region would be possible without the return of Al-Quds and all occupied territories to the Palestinian authorities.

It has been our consistent demand that Israel fully abide by the provisions of the agreements it has concluded with the Palestinians and amicably resolve all pending issues with the Palestinian National Authority.

The draft resolution before the General Assembly today embodies the measures which must be implemented by the Israeli authorities in order to restore the mutual trust and understanding between the two parties. Pakistan is a co-sponsor of this draft resolution and earnestly hopes that all Member States will support its adoption by consensus.

Sir John Weston (United Kingdom of Great Britain and Northern Ireland): I have the honour to take the floor on behalf of the European Union. The Central and Eastern European Countries associated with the European Union — the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Slovakia and Slovenia — and the Associated Country Cyprus, as well as the countries of the European Free Trade Association members of the European Economic Area — Iceland and Liechtenstein — align themselves with this statement.

The European Union regrets the fact that the General Assembly has had to meet again to examine the question of illegal Israeli actions in occupied East Jerusalem and the rest of the occupied Palestinian territory.

The European Union deplores Israel's failure to respond to the appeals made by the General Assembly and the international community to cease construction work in Jebel Abu Ghneim/Har Homa in the occupied West Bank and, in general, to suspend the development of settlements in the occupied territories, including Jerusalem. These activities are contrary to the provisions of the Fourth Geneva Convention.

According to resolution ES-10/3, the General Assembly recommends that the High Contracting Parties to the Fourth Geneva Convention convene a conference on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem, and to ensure its respect. The European Union reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War applies to the occupied Palestinian territory, including Jerusalem, and to the other Arab territories occupied by Israel since 1967. We call on Israel to recognize that the Convention applies de facto and *de jure* to those territories and to comply with its provisions.

The European Union thanks Switzerland for its actions in following up resolution ES-10/4. The European Union suggests that resolution ES-10/4 might be taken forward in the following way: The mandate of the experts

meeting should be to follow up resolution ES-10/4, notably its operative paragraphs 4 and 5. It should aim to make recommendations on dates, locations, participants and so on, and commission any reports necessary.

It should also discuss substance, notably the situation in the occupied territories relative to the Fourth Geneva Convention, and the political and legal implications of the conference, taking into account the obligations of Israel and other States Parties under this Convention. The European Union also believes that the meeting should take place in Geneva, on an informal basis, with participation to include expert-level representatives of the High Contracting Parties, as well as the International Committee of the Red Cross and the Palestine Liberation Organization.

The European Union remains deeply concerned at the current deadlock in the peace process, and in particular at the lack of progress in implementing all the commitments under the Israeli-Palestinian interim agreements and the Hebron Protocol. The European Union hopes that all parties concerned will avoid unilateral actions that could further jeopardize the prospects for peace.

Finally, the European Union remains deeply attached to the peace process as the only way to establish lasting peace and security in the region. The European Union will not tire in its efforts to promote the peace process and to support current efforts to restore progress.

The President: I now give the floor to the representative of Egypt to introduce the draft resolution contained in document A/ES-10/L.4/Rev.1.

Mr. Abdel Aziz (Egypt) (*interpretation from Arabic*): In the course of less than a year, the General Assembly is, for the third time, resuming its tenth emergency special session, in keeping with the resolution "Uniting for peace" and in order to assume its international responsibilities in the face of Israel's continuing refusal to implement the demands of the international community concerning putting an end to its illegal actions in the occupied Palestinian territories, including Jerusalem. Foremost among these actions is the construction of settlements.

The General Assembly, at the 7th meeting of its resumed emergency special session, held on 13 November 1997, adopted resolution ES-10/4, which recommends, among other things, that the High Contracting Parties to the Fourth Geneva Convention convene a meeting in order to examine ways and means of enforcing the provisions of the Fourth Geneva Convention in the occupied Palestinian territories.

All States, with the exception of Israel, recognize the *de jure* and de facto applicability of the Fourth Geneva Convention to the occupied territories. It is very important here to reaffirm that article 49 of the Convention makes it incumbent upon Israel, the occupying Power, to refrain from confiscating the lands it has occupied, from undertaking any construction there and from settling its civilians there. Unfortunately, we find that Israel is undertaking all these measures at the same time, with complete disregard for international law, humanitarian law, resolutions of international legitimacy and even the agreement signed between Israel itself and the Palestinian Authority.

We meet today to reaffirm what we decided at the last resumption of the session, in November of last year, concerning the need to convene a meeting of the High Contracting Parties to the Fourth Geneva Convention in order to examine how to impose upon Israel the need to respect the provisions of the Convention. Despite the fact that the General Assembly has given the States parties more than three months to prepare for such a meeting, and despite the commendable efforts of the Swiss Government, as the depositary State of the Convention, to prepare for it, we are still awaiting intensified and continuous efforts that we hope will lead to respect for, in particular, operative paragraphs 4 and 5 of resolution ES-10/4 and thus to the convening of a meeting of experts in preparation for a meeting of the High Contracting Parties to examine the measures necessary to enforce the Fourth Geneva Convention in the occupied Palestinian territory, including Jerusalem.

The time has come for all States parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 to begin preparing for the holding of a meeting in order to fulfil their collective responsibility in this respect and in keeping with article 148 of the Convention:

(spoke in English)

> "No High Contracting Party shall be allowed to absolve itself or any other High Contracting Party of any liability incurred by itself or by another High Contracting Party in respect of breaches referred to in the preceding article."

(spoke in Arabic)

The Egyptian delegation regrets the current deterioration of the peace process, for which, undoubtedly, the Israeli Government bears full responsibility. In addition to the fact that Israel's settlement policy is a blatant challenge to established international norms and obviously flouts the will of the international community, in its obduracy it also totally disregards the rights, feelings and demands of the Palestinian people and complicates the situation. Last week's violent events in the city of Hebron, in which Israeli settlers played a major part, bear witness to this. Therefore, we call upon all Member States to show solidarity and cooperation in order to put an end to illegal Israeli practices in the occupied Palestinian territories, including Jerusalem, by reaffirming the recommendations previously adopted by the General Assembly at the tenth emergency special session.

I shall now introduce the draft resolution contained in document A/ES-10/L.4/Rev.1 on behalf of all the sponsors: Algeria, the Comoros, Cuba, Djibouti, Egypt, Jordan, Kuwait, Mauritania, Morocco, Oman, Qatar, Saudi Arabia, the Sudan, Tunisia, the United Arab Emirates, Viet Nam and Yemen, along with Afghanistan, Bahrain, Bangladesh, Indonesia, Malaysia and Pakistan, which have joined the original sponsors.

The draft resolution before the Assembly is entitled "Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory". The preambular part is composed of four paragraphs, the first of which reaffirms the previous resolutions adopted at the tenth emergency special session. The second preambular paragraph clearly shows the determination to uphold the purposes and principles of the Charter of the United Nations and the resolutions of the United Nations. The third preambular paragraph expresses increasing concern about the persistent violations by Israel, its continued construction at Jebel Abu Ghneim in East Jerusalem and its refusal to accept the principle of the applicability of the Fourth Geneva Convention to the occupied Palestinian territory. The fourth preambular paragraph expresses awareness of the necessary steps yet to be taken in order to implement the recommendations.

The operative part is composed of nine paragraphs. Paragraphs 1 to 4 reiterate what has previously been called for, in particular putting an immediate stop to the Israeli settlement activities and recommending that the High Contracting Parties to the Fourth Geneva Convention convene a conference to examine the application of the Convention. In addition, it calls on the Swiss Government, as the depositary State, to undertake the necessary steps in order to convene a meeting of experts.

Operative paragraph 5 extends the target date for the convening of the meeting of experts until the end of April 1998. Operative paragraph 7 reiterates the Assembly's decision that, in case of continued lack of compliance by Israel, the occupying Power, with the provisions of resolutions ES-10/2, ES-10/3 and ES-10/4, the Assembly will reconsider the situation in accordance with resolution 377 A (V) of 3 November 1950.

Considering the fact that the draft essentially reaffirms the recommendations adopted by the General Assembly — by an overwhelming majority — at its previous resumed sessions, the sponsors look forward to the support of all States for the draft resolution.

Mr. Hasmy (Malaysia): During its last resumed sessions in 1997, the General Assembly overwhelmingly adopted three resolutions, namely ES-10/2, ES-10/3 and ES-10/4. Of the three, resolutions ES-10/3 and ES-10/4 specifically recommended that the High Contracting Parties to the Geneva Convention relative to the Protection of Civilian Persons in Time of War convene a conference on measures to enforce the Convention in the occupied Palestinian territory, including Jerusalem. My delegation had expressed its strong support for the convening of such a conference and subsequently voted in favour of the resolutions, along with an overwhelming number of other delegations.

It has been stated time and again in the Assembly that the provisions of the 1949 Fourth Geneva Convention have direct application to Israel as the occupying Power. Although Israel has the legal obligation to abide by the provisions of the Convention, it has persistently violated them. Its actions and policies in the occupied Palestinian territories, including Jerusalem, have testified to its continued intransigence and have been a source of very serious concern to Malaysia and to the entire international community. In the face of Israel's obstinacy, my delegation adds its voice in strongly calling yet again for the early convening of the aforementioned conference of the High Contracting Parties.

Since 1967, the Security Council has adopted numerous resolutions which reaffirmed that settlements in the occupied Palestinian territory were illegal and that measures taken by Israel in Jerusalem were null and void. In open defiance of these resolutions, Israel has

intensified the establishment of new Jewish settlements while expanding existing ones. A clear and provocative case in point is Israel's continuing policy of establishing a new Jewish settlement in Jebel Abu Ghneim, in Arab East Jerusalem, which is a blatant and defiant violation of the 1949 Geneva Convention and which has directly contributed to the derailment of the Palestinian-Israeli peace process and prompted the General Assembly to adopt resolution ES-10/2 on 25 April 1997. We may recall that the resolution condemned the construction by Israel of a new settlement in Jebel Abu Ghneim and all other illegal Israeli actions in all the occupied Arab territories, and demanded the immediate and complete cessation of such construction work. Regrettably, these activities have continued unabated even as additional resolutions were adopted in the General Assembly.

It has often been argued by some that the various resolutions submitted to the General Assembly and the Security Council have not advanced the peace process and have made more difficult the task of rebuilding confidence and of reactivating a productive negotiating process. The truth is, given the continuing intransigent attitude of Israel, which ignores all international appeals and presses ahead with its controversial settlement activities without any let-up, Palestine has no other recourse but to continue to bring the issue to the attention of the international community in this fashion. Clearly, this and previous debates in the General Assembly and the Security Council on the issue of Palestine would not have been necessary if Israel had heeded the calls of the international community, fulfilled its obligations and responsibilities, and engaged in serious, constructive and meaningful dialogue with the Palestinian Authority.

In the face of such imperviousness on the part of Israel, the debates at the United Nations are far from being a distraction; they provide the only avenue for Palestine to air its frustrations and grievances to the international community. Indeed, these debates are not only important in themselves but are necessary reminders to all of us of the continued injustice being done to the people of Palestine.

The bases of a permanent settlement of the Arab-Israeli conflict are clear to all and well understood by all, and therefore, I shall not enumerate or repeat them here. Ultimately, a final solution will have to satisfy not only the security interests of Israel but also the legitimate demands and aspirations of the Palestinian people. What is needed, therefore, is a sober assessment by Israel of its current policies, which have not worked and will not usher in the peace and security for which they have obviously but mistakenly been designed. If it is sincere in its desire to live peacefully with its Arab neighbours, Israel will have to live up to all its treaty commitments and eschew its current policies in favour of those of cooperation, collaboration and, yes, friendship with the Palestinians. Only these will evoke the much-needed and much-desired positive and constructive responses from the Palestinians; repressive and Draconian policies clearly will not.

Malaysia believes that the major Powers and friends of Israel can and should continue to play a constructive role. We call upon them, and particularly on the main sponsors of the Middle East peace process, to exert their influence and use their leverage in moving the peace process forward. In this regard, Malaysia welcomes the proposed visit by The Honourable Mr. Robin Cook, the British Foreign Secretary, in his capacity as the President of the European Union, to the Palestinian occupied territory, including Jebel Abu Ghneim, to look at the objective realities on the ground. Malaysia considers the visit as a positive step in the right direction and would encourage him and other influential international actors to make every effort to break the current impasse. We hope that Israel will extend its fullest cooperation to Mr. Robin Cook and others who may wish to play a constructive role.

In conclusion, Malaysia is pleased to support the draft resolution before us today, consistent with its unremitting support and solidarity with the Palestinian people in their struggle for a just, comprehensive and lasting peace.

Mr. Richardson (United States of America): The United States questions the reconvening of this tenth emergency special session of the General Assembly. We oppose the draft resolution calling on the Swiss to convoke experts to prepare for a meeting of the Fourth Geneva Convention's High Contracting Parties to "enforce" the Convention in the occupied territories.

A similar resolution was passed by the emergency special session last November. My Government believed in November, as we still believe today, that it was unreasonable to ask the Government of Switzerland, a non-Member observer State, to have to respond to a non-binding resolution of the General Assembly. We argued then, and we still argue today, that the November resolution was and is another step towards politicizing the Fourth Geneva Convention.

Despite the burden placed on them, the Swiss authorities, after painstaking consultations with the international community — including the parties in the region, the European Union and the United States, among others — proposed a meeting of Palestinian and Israeli experts under the auspices of the International Committee of the Red Cross to discuss the issues at hand. In doing so, the Swiss responded directly and in good faith to the November resolution. Their proposal was wise, fair and balanced, and we heartily commend their efforts.

The Swiss solution is in harmony with the basic premise of the Middle East peace process: that the parties themselves must discuss their differences in direct, face-to-face negotiations. Although we understand that both parties have some degree of discomfort with the idea, we also understand that both the Israelis and the Palestinians have indicated they would attend an experts meeting as the Swiss have proposed. We support Israeli and Palestinian agreement to attend face-to-face talks on this issue.

Today's draft resolution would be more effective if it simply endorsed the Swiss effort to convene Palestinian and Israeli experts. But it does not do so. To the contrary, the draft resolution we are about to vote on makes no mention at all of Swiss efforts to respond in good faith to last November's resolution. In fact, the draft resolution implicitly criticizes the Swiss for not doing more, and fails to give Switzerland credit for its wholehearted efforts to implement the November resolution.

Furthermore, the draft resolution's call for a meeting of High Contracting Parties to the Fourth Geneva Convention with the purpose of "enforcing" the Convention in the occupied territories is a controversial demand. It prejudges the outcome of discussions that have not yet taken place and assumes that broader-based discussions would be more effective and productive. Such an assumption, we believe, is simply not true.

Adoption of the draft resolution will complicate, not enhance, Middle East peace efforts. With the Secretary-General on the eve of a visit the Middle East, my delegation questions the wisdom of this emergency special session and of the draft resolution put before us today.

The United States believes that the Swiss proposal is a responsible and proper response to the call of last November's meetings of the emergency special session of the General Assembly. We hope that in face-to-face discussions, Israeli and Palestinian experts can begin an honest dialogue on important issues of mutual concern to their peoples. We support such a dialogue and believe it can contribute usefully to the peace process, and possibly bring tangible benefits to the peoples of the region.

Regrettably, we do not believe that the reconvening of this emergency special session will help the peace process, or assist in bridging differences between the parties, or provide benefits to the peoples of the region in any meaningful way. Therefore, my delegation will vote against the draft resolution, and it strongly urges other Member States to do the same.

Mr. Nejad-Hosseinian (Islamic Republic of Iran): It is a privilege and an honour for me to join this distinguished gathering of highly qualified ambassadors and other diplomats; as the new Permanent Representative of my country to the United Nations I have the duty to spare no effort to extend my delegation's full cooperation to the membership of the Organization at large. Let me assure the Assembly that I shall carry out that undertaking wholeheartedly.

The General Assembly is meeting today in the framework of the resumed tenth emergency special session to take up once more the issue of illegal Israeli activities in the occupied territories. The resumption of the emergency special session yet again illustrates the gravity of the situation in the region and beyond, as a direct and inevitable consequence of unlawful Israeli policies and brutal practices. Aggression, the forceful occupation of the territories of others, torture and illegal detention of civilians, combined with State terrorism, have manifestly exposed the real face and true nature of the Israeli regime to the entire world. The international community cannot, therefore, be indifferent to the dangerous and devastating backlash that this pattern of behaviour can unleash. We believe it is in this context that the General Assembly, as the principal, and universally representative, body of the United Nations, should address this issue, which is of such great magnitude.

At this emergency special session, the General Assembly has already adopted three relevant resolutions, each of which, *inter alia*, condemns the construction of new settlements and all other Israeli actions in the occupied territories, and demands the immediate and full cessation of these measures and actions. Now, one year after the adoption of the first resolution of the tenth emergency special session, and at a time when the world is witnessing the intransigent refusal of Israel to abide by the wishes of the international community, the General

Assembly should decisively pursue the objectives of the previous resolutions of the emergency special session with renewed determination.

In its resolution ES-10/3, the General Assembly recommended that the High Contracting Parties to the Fourth Geneva Convention should convene a conference on measures to enforce the Convention in the occupied Palestinian territories, including Jerusalem, and in resolution ES-10/4 recommended the convening of a meeting of experts with a target date not later than the end of February 1998 in order to follow up on that recommendation. The Islamic Republic of Iran, as a Party to the Fourth Geneva Convention, would welcome the convening of a conference of High Contracting Parties and believes that those recommendations should be implemented without further delay. It is our earnest hope that the meeting of experts of the High Contracting Parties to the Fourth Geneva Convention will be held by the end of April 1998, as recommended in the draft resolution, and that the subsequent conference will contribute to the restoration of the inalienable rights of the Palestinian people.

Numerous reports and documents of the United Nations, including the Secretary-General's report of 26 June 1997 [A/ES-10/6] to the General Assembly at its tenth emergency special session, indicate that Israel has not abandoned its policy of constructing new Israeli settlements, and that settlement activities have continued unabated throughout the occupied territories. The policy of expanding Jewish settlements in the occupied territories through the use of brute force, intimidation and deceit in order to change the basic characteristics of the Palestinian territories has always been an integral component of Israel's grand design to perpetuate its occupation.

More importantly, the decision to build Jewish settlements in East Jerusalem is aimed at changing the legal, religious and demographic composition of the Holy City of Al-Quds Al-Sharif, thus creating a *fait accompli* towards the judaization of Jerusalem. Systematic harassment of the inhabitants of the occupied territories, as well as the sealing or demolition of their houses, are but a few of the illegal measures adopted and implemented by Israel on a daily basis.

Such initiatives and actions, which clearly contravene the rules of international law, have exacerbated the critical situation in the region, which has been engulfed in a whirlwind of conflict, tension and instability. The Organization of the Islamic Conference has constantly called upon the international community to take appropriate and urgent measures to renounce the unlawful Israeli policies and conduct and to restore the inalienable rights of the Palestinian people.

The Eighth Summit of the Organization of the Islamic Conference, held recently in Tehran, condemned the continued occupation by Israel of Palestinian and other Arab territories, including Al-Quds Al-Sharif, the Syrian Golan and southern Lebanon; saluted the steadfastness of the Palestinian, Lebanese and Syrian peoples in their resistance to the Israeli occupation; and called for the liberation of all occupied Arab territories and the restoration of the usurped rights of the Palestinian people. The Summit also condemned the expansionist policies and practices of Israel, such as the establishment and expansion of Jewish settlements in the occupied Palestinian territory, as well as acts designed to change the demographic and geographic status of the Holy City of Al-Quds, and emphasized the need for Israel to desist from state terrorism, which it continues to practice in utter disregard of all legal and moral principles.

In conclusion, we call upon the General Assembly at its special session to take a firm stand against the atrocities committed by Israel in the occupied territories. Had the Israeli regime been pressured to respect international norms and principles through the implementation of the resolutions adopted by this universal Organization, we would not be facing the present calamity.

The meeting rose at 1 p.m.